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[illegible]

110TH CONGRESS
2D SESSION

H. R. 5173

To temporarily delay application of proposed changes to Medicaid payment rules for case management and targeted case management services.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2008

Mr. ELLISON (for himself, Mr. COOPER, Mr. DUNCAN, Ms. MCCOLLUM of Minnesota, Mr. RAMSTAD, Mr. WALZ of Minnesota, Mr. PETERSON of Minnesota, Mr. CUMMINGS, and Mr. OBERSTAR) introduced the following bill; which was referred to the Committee on Energy and Commerce

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A BILL

To temporarily delay application of proposed changes to Medicaid payment rules for case management and targeted case management services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MORATORIUM ON IMPLEMENTATION OF CHANGES TO CASE MANAGEMENT AND TARGETED CASE MANAGEMENT PAYMENT REQUIREMENTS UNDER MEDICAID.

(a) DELAYED IMPLEMENTATION OF DECEMBER 4, 2007, INTERIM FINAL RULE.—The interim final rule published on December 4, 2007, at pages 68,077 through

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68,093 of volume 72 of the Federal Register (relating to parts 431, 440, and 441 of the Code of Federal Regulations) shall not take effect before April 1, 2009.

(b) CONTINUATION OF 2007 PAYMENT POLICIES AND PRACTICES.—Notwithstanding any other provision of law, the Secretary of Health and Human Services shall not, prior to April 1, 2009, take any action (through promulgation of regulation, issuance of regulatory guidance, use of Federal payment audit procedures, or other administrative action, policy or practice, including a Medical Assistance Manual transmittal or issuance of a letter to State Medicaid directors) to restrict coverage or payment under title XIX of the Social Security Act for case management and targeted case management services if such action is more restrictive than the administrative action, policy, or practice that applies to coverage of, or payment for, such services under title XIX of the Social Security Act on December 3, 2007. Any such action taken by the Secretary of Health and Human Services during the period that begins on December 4, 2007, and ends on March 31, 2009, that is based in whole or in part on the interim final rule described in subsection (a) is null and void.

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